

defense company into this bill. This same amendment was debated last year, but it was dropped in conference. It will ultimately harm our warfighters in a time that we need to be giving them every advantage, ensuring the equipment that they have is reliable.

I strongly urge a “no” vote on this amendment.

Mr. MCKINLEY. Mr. Chairman, how much time do I have?

The Acting CHAIR. The gentleman from West Virginia has 2¼ minutes remaining.

Mr. MCKINLEY. Mr. Chair, I yield myself such time as I may consume.

Let's try to clarify this. And I do appreciate the remarks of my colleague.

We are talking about a situation that when the performance specification was changed, there was a problem. I recognize that.

But the problem here, or the issue here is that the defense already was embarking on going overseas to find a supplier before there were any problems that had surfaced with this. This has been cleared. We understand that.

Now, let's go further with this. We are not talking about just an American firm. There are two, possibly there could be another one that could emerge, three or four. Remember, we used to have far more rocket motor manufacturers in America. We are down to two now.

Now, maybe there is going to be a foreign corporation, someone else that surfaces with this. We know there are others. But it just seems patently shortsighted for us in America, with all this purchasing power that we have, to limit ourselves to one supplier, one supplier.

So what we are saying is, fulfill the specifications, find out whether or not you can get another firm as qualified to be able to do this, whether it is foreign or domestic. But let's have competition. For the American public and our defense and our spending, I think it is a fiscally responsible thing to do to try to find a way to be responsible in our dollars. So it may be an American firm. Quite frankly, I hope it is. And then we can stimulate our declining industrial defense base. But if it is someone else, at least we are going to find we have competition. And unless I am wrong, I always thought that the American way was finding competition to be able to compete with us.

This amendment gives us an opportunity. Since 2009, our government has come out with report after report after report after report that there is a problem. We need to address it.

But they have done nothing other than outsourcing this material. I think it is time that we take action, we allow an opportunity for a second firm to compete.

Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gen-

tleman from West Virginia (Mr. MCKINLEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MCKINLEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from West Virginia will be postponed.

The Committee will rise informally.

The Speaker pro tempore (Mr. HOLDING) assumed the chair.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 2040. An act to deter terrorism, provide justice for victims, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The Committee resumed its sitting.

AMENDMENT NO. 11 OFFERED BY MR. THORNBERRY

The Acting CHAIR (Mr. ROTHFUS). It is now in order to consider amendment No. 11 printed in part B of House Report 114-569.

Mr. THORNBERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title IX, add the following new section:

SEC. 9. REFORM OF NATIONAL SECURITY COUNCIL.

(a) FINDINGS.—Congress finds the following:

(1) The National Security Council has increasingly micromanaged military operations and centralized decisionmaking within the staff of the National Security Council. The size of the staff has contributed this problem.

(2) As stated by former Secretary of Defense Robert M. Gates, “It was the operational micromanagement that drove me nuts of White House and [National Security Council] staffers calling senior commanders out in the field and asking them questions, second guessing commanders”, and by another former Secretary of Defense Leon Panetta, “[B]ecause of that centralization of that authority at the White House, there are too few voices being heard in terms of the ability to make decisions and that includes members of the cabinet.”

(3) Gates stated, “You have 25 people working on a single military problem... They are going to be doing things they shouldn't be doing,” and Panetta noted, “The National Security Council has grown enormously, which means you have a lot more staff people running around at the White House on these foreign policy issues.”

(4) Press reports indicate that National Security Council micromanagement has included selecting targets in ongoing military

operations, specifying detailed parameters and limitations on military operations, and managing military planning and the execution of plans.

(5) As stated in section 101(a) of the National Security Act of 1947 (50 U.S.C. 3021(a)), the “function of the Council shall be to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security”.

(6) As stated in the November 1961 staff reports and recommendations on “Organizing for National Security” submitted to the Committee on Government Operations of the Senate by the Subcommittee on National Policy Machinery, “The Council is an interagency committee: It can inform, debate, review, adjust, and validate... The Council is not a decisionmaking body; it does not itself make policy. It serves only in an advisory capacity to the President, helping him arrive at decisions which he alone can make.”

(7) As noted in the 1987 Report of the President's Special Review Board (commonly known as the “Tower Commission Report”), “As a general matter, the [National Security Council] staff should not engage in the implementation of policy or the conduct of operations. This compromises their oversight role and usurps the responsibilities of the departments and agencies.”

(8) As noted in the “Addendum on Structure and Process Analyses: Volume II – Executive Office of the President,” accompanying the February 2001 U.S. Commission on National Security/21st Century (commonly known as the “Hart-Rudman Commission”), “[T]he degree to which the [National Security Council] gets involved in operational issues raises a question of congressional oversight. Today there is limited congressional oversight of the [National Security Council]... Assigning the [National Security Council] greater operational responsibility would likely result in calls for more congressional oversight and legislative control...”

(9) According to analysis from the Brookings Institution's National Security Council Project, the size of the National Security Council staff from the early 1960s to the mid-1990s remained consistently under 60 personnel. Since then, it has grown significantly in size.

(10) As former National Security Advisor, Zbigniew Brzezinski, wrote in “The NSC's Midlife Crisis” in *Foreign Policy*, Winter 1987–1988, “There is no magic number, but it would appear that for successful strategic planning and policy coordination 30-40 senior staff members are probably adequate. However, to ensure effective supervision over policy implementation as well, the size of the staff should be somewhat larger. An optimal figure for the senior staff probably would be about 50 senior staff members.”

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the function of the National Security Council, consistent with the National Security Act of 1947 (50 U.S.C. 3001 et seq.), is to advise the President as an independent honest broker on national security matters, to coordinate national security activities across departments and agencies, and to make recommendations to the President regarding national security objectives and policy, and the size of the staff of the National Security Council should be appropriately aligned to this function;

(2) the President is entitled to privacy in the Office of the President and to a confidential relationship with the National Security Advisor and the National Security Council; and